Reconsideration and Amendment                                    Docket No. 5000-1-491
Serial No. 10/717,055

## REMARKS

Reconsideration of all grounds of rejection in the Office Action based upon the following amendments, and allowance of all of the pending claims are respectfully requested in light of the following remarks.

Claims 1-11 are rejected. Claims 3, 9 and 11 have been amended of which claims 1, 3 and 9 are independent claim. Claims 1-11 are pending.

The Abstract of Disclosure stand objected to for containing more than 150 words. In response, applicants have revised the Abstract of Disclosure and respectfully request withdrawal of the objection.

Applicants wish to thank the Examiner for pointing out a single informality in the specification. In response, applicants have made the correction as suggested by the Examiner and respectfully request withdrawal of the objection.

Claims 3, 9 and 11 stand rejected under 35 USC § 112, second paragraph, as being indefinite for failing to particularly point and distinctly claim the subject matter which applicant regards as the invention. In response, applicants have provided antecedent basis for all three claims and respectfully request withdrawal of the rejection.

Claims 1, 3-4, 6-8 and 9-10 stand rejected to under 35 USC § 102(b) as being anticipated by Bergmann (US 6,240,222). Applicants respectfully request reconsideration.

9

Claim 1, as presently presented recites "[a]n add/drop module connected to an

optical signal for transmitting a multiplexed optical signal in a wavelength division

multiplexing optical transmission system, and adapted to add drop a channel for the

optical signal, comprising, *inter alia*, a plurality of add/drop units each including, *inter

alia*, an optical switch ... the first port of the optical switch being **selectively connected**

either the third port of the optical switch to establish a path for a channel to be passed or

the fourth port of the optical switch to establish a path for a channel to be dropped, the

second port of the optical switch being **selectively connected** with the third port of the

optical switch to establish a path for a channel to be added.

Similar, claim 3, as presently presented recites an optical switch ... being

**selectively** connectable to either establish a path for a channel to be passed or to establish

a path for a channel to be dropped.

Moreover, claim 9, similarly, as presently presented recites an optical switch,

having a plurality of ports, two ports being connected to respective ports of the circulator,

another port of the optical switch being **selectively connectable** to either establish a path

for a channel to be passed or to establish a path for a channel to be dropped.

In contrast, Bergmann's transition device 216, as illustrated in FIG. 5 and

operationally illustrated in FIG. 7A-C operates to provide an add/drop state in a "bar state"

to 'drop' a signal as illustrated in FIG. 7C (Col. 9, line 11-12) while at the same time 'add'

10

a signal in conjunction with mirror 222, FIG. 5 (that is while still in the bar state). Bergmann's switch then moves to a 'cross state' or "reflection state" to operates to perform a loop-back a signal as shown in FIG. 7B (Col. 9, line 41-43). As such Bergmann's transition device 216, as seen in FIG. 5 does not provide a 'selective connection' between passing, adding or dropping a channel but instead utilizes a mirror to preform an add function.

As Bergmann's disclosure specifically describes, the transition device 221, as seen in FIG. 7A 'drops' a signal, whereas, "[a first] component signal coming in on bidirectional input/output port 201 enters circulator 270 and is sent to output port 270a. (Col. 9, line 16-18). Then, Bergmann's transition device 'adds' a signal by utilizes an ".. .extra component [or second component] optical signal .. combined, i.e. multiplexed, with the other optical component signals from bidirectional input/output ports 202-207 by optical multiplexer/demultiplexer 214. As can be seen in FIG. 5, ports 202-26 are coupled to a mirror 222. In other words, Bergmann's transition device in the 'bar state' must uses a mirror 222 to operate as an add/drop device. That is, since Bergman's transition device splits an optical signal into two components to perform an add/drop function in the bar state, the transition device **does not** *selectively* connect but instead is using mirror 222, FIG. 5 to preform an add function whiling staying in the bar state(the switch does not change states).

11

Reconsideration and Amendment                                    Docket No. 5000-1-491
Serial No. 10/717,055

Therefore, Bergmann's transition device fails to anticipate the present invention as recited in the base claims as it fails to show an add/drop unit that is "selectively connected" (claim 1) or "selectively connectable" (claim 3 and 9). Accordingly, applicants respectfully request withdrawal of this ground of rejection.

The other claims in this application are each dependent from the independent claim discussed above and are therefore believed patentable for the same reasons. Since each dependent claim is also deemed to define an additional aspect of the invention, however, the individual consideration of the patentability of each on its own merits is respectfully requested.

For all the foregoing reasons, it is respectfully submitted that all the present claims are patentable in view of the cited reference. A notice of Allowance is respectfully requested.

12

Reconsideration and Amendment                              Docket No. 5000-1-491
Serial No. 10/717,055

    Should the Examiner deem that there are any issues, which may be best, resolved

by telephone communication, please contact Applicant's undersigned Attorney at the

number listed below.

                                                  Respectfully submitted,

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13